

MAR 08 2007

Application No.: 10/676,060

Docket No.: ITW-032RCE

**REMARKS**

Applicants amend claim 1. Support for the claim amendment can be found at Fig. 5 and related text. No new matter is added. Upon entry of this amendment, independent claim 1 is pending. Applicants respectfully submit that claim 1 defines over the art of record.

**Claim Rejection Under 35 U.S.C. §103**

Claim 1 is rejected under 35 U.S.C. §103(a) as being unpatentable over EP 1,001,666 to Einhart et al. (hereafter "Einhart"), in view of JP 09-283166 to Tanaka et al. (hereafter "Tanaka"), and further in view of United States Patent No. 4,310,605 to Early et al. (hereafter "Early"). Applicants respectfully submit that the combination of the Einhart reference, the Tanaka reference, and the Early reference do not teach or suggest the limitation of a fuel box enclosing the plurality of cells and the plurality of separators, wherein the fuel box includes one or more openings to allow the terminals from the plurality of separators to protrude outside the fuel box, as required in amended claim 1. The combination of the prior art references also do not teach or suggest the processing circuit and the connector are outside of the fuel box, as required by amended claim 1.

**The Einhart Reference**

The Einhart reference teaches that a contacting device 100 includes a carrier layer 102 and multiple electrically conductive regions 106. See Col. 4, lines 42-45 and Fig. 1. The conductive regions 106 are in contact with two separators 114. See Fig. 1. The Einhart reference further teaches that the contacting device 100 and the fuel cell stack are enclosed in a casing. See Figs. 1-2. In contrast, claim 1 requires a fuel box enclosing the plurality of cells and the plurality of separators, wherein the fuel box includes one or more openings to allow the terminals from the plurality of separators to protrude outside the fuel box. Claim 1 also requires the processing circuit and the connector are outside of the fuel box.

**The Tanaka Reference**

The Tanaka reference teaches that circular holes 4 are provided in a carbon plate 11 of each cell in a fuel cell stack. An output terminal 6 is connected to a circular hole 4 with a banana

Application No.: 10/676,060

Docket No.: IHW-032RCE

clip 6. The other end of the output terminal 6 is connected to a voltage measuring device through a connector 7. In contrast, claim 1 requires a terminal protruding from each separator instead of having holes in the separators. Hence, the Tanaka reference does not teach or suggest a fuel box enclosing the plurality of cells and the plurality of separators, wherein the fuel box includes one or more openings to allow the terminals from the plurality of separators to protrude outside the fuel box and where the processing circuit and the connector are outside of the fuel box, as required by amended claim 1.

#### The Early Reference

The Early reference teaches a fuel cell module including sub-stacks of series-connected fuel cells. Each sub-stack 10 includes six fuel cells and an intermediate bipolar plate 30 is disposed between two fuel cells 20. See Fig 1. and Col. 2, lines 33-34. Cold plates 40 and 42 are provided in between two adjacent sub-stacks. See Figs. 1 and 3. Cold plates 40, 42 and associated manifolds 54, 56, and 64, 66 provide means for tapping the voltage of a fuel cell module. In other words, the Early reference uses cold plates to obtain voltage of a fuel cell module that includes six fuel cells. In contrast, claim 1 requires a terminal from each separator and not a terminal from every other six fuel cells. Additionally, claim 1 requires that a fuel box enclosing the cells and separators, where the fuel box has one or more openings for the terminals from the separators to protrude outside of the fuel box to connect with the connector that connects to the processing circuit and where the processing circuit and the connector are outside of the fuel box.

Accordingly, Applicants respectfully submit that the combination of the Einhart reference, the Tanaka reference, and the Early reference do not teach or suggest the limitation of a fuel box enclosing the plurality of cells and the plurality of separators, wherein the fuel box includes one or more openings to allow the terminals from the plurality of separators to protrude outside the fuel box, as required in amended claim 1. The combination of the prior art references also do not teach or suggest the processing circuit and the connector are outside of the fuel box, as required by amended claim 1.

Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 1.

MAR 08 2007

Application No.: 10/676,060

Docket No.: IIW-032RCE

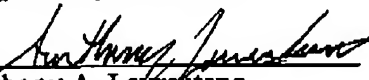
**CONCLUSION**

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Applicants submit herewith a Request for Continued Examination. Applicants believe no other fee is due with this statement. However, if an additional fee is due, please charge our Deposit Account No. 12-0080, under Order No. IIW-032RCE from which the undersigned is authorized to draw.

Dated: March 8, 2007

Respectfully submitted,

By   
Anthony A. Laurentano  
Registration No.: 38,220  
LAHIVE & COCKFIELD, LLP  
One Post Office Square  
Boston, Massachusetts 02109-2127  
(617) 227-7400  
(617) 742-4214 (Fax)  
Attorney For Applicant